

**PROCEEDINGS OF THE COMMON COUNCIL OF  
THE CITY OF RICHMOND, INDIANA,  
MONDAY, MAY 7, 2007**

The Common Council of the City of Richmond, Indiana met in regular session Monday, May 7, 2007, in the Council Chambers in said City. President Pappin presided and the following business was conducted:

**PLEDGE OF ALLEGIANCE**

**PRAYER BY COUNCILOR KLOSE**

**ROLL CALL**

Councilors present were Howard "Jack" Elstro, Etta Lundy, Bruce Wissel, Karl Sharp, Bing Welch, Larry Parker, Al Glover, Gil Klose and Diana Pappin.

**APPROVAL OF MINUTES**

Councilor Sharp moved to approve the minutes of the meeting of April 16, 2007, with a second by Councilor Welch. Upon a vote *viva voce*, the motion passed.

**PRESENTATIONS, MEMORIALS OR REMONSTRANCES, PETITIONS AND INTRODUCTIONS,  
MOTIONS, RESOLUTIONS**

**COMMUNICATION FROM THE MAYOR**

- The entrance to the Police Department will be closed for approximately three weeks while improvements are being made to that area.
- Over 200 tons of trash has been collected during the Spring Clean-Up campaign. Ordinance violation tickets are being issued for exterior maintenance and tall grass.
- The Sight Team for the 2008 Presidential Debate location will be in Richmond on July 11.

**REPORT FROM BOARD OF PUBLIC WORKS AND SAFETY**

Minutes of the April 12, 19 & 26, 2007 meetings were accepted as presented.

**REPORTS FROM DEPARTMENT HEADS**

- Tony Foster, Director of Metropolitan Development, reported that a firm has been hired to re-write the zoning code. The entire process will take approximately 18 months.

**REPORTS FROM STANDING COMMITTEES - None**

**REPORTS FROM SPECIAL COMMITTEES - None**

**REPORTS FROM ORGANIZATIONS - None**

**MISCELLANEOUS BUSINESS - None**

**ORDINANCES ON FIRST READING**

Councilor Elstro moved to suspend the rules and read Ordinance Nos. 30, 31, 32 & 33-2007 on first reading by title only with a second by Councilor Lundy. Upon a vote *viva voce*, the motion passed.

**ORDINANCE NO. 30-2007** - A SPECIAL ORDINANCE AUTHORIZING THE APPROVAL OF A STATEMENT OF BENEFITS FOR A PROPERTY OWNER APPLYING FOR DEDUCTIONS UNDER I.C. 6-1.1-12.1 (Ahaus Tool)

The Clerk read Ordinance No. 30-2007 on first reading by title only.

This Ordinance is a request of Ahaus Tool & Engineering, Inc. for a five year tax abatement for equipment valued at \$200,000.

Ordinance No. 30-2007 was referred to the Tax Abatement Committee for due diligence.

**ORDINANCE NO. 31-2007 – AN ORDINANCE DEFINING ALLOWABLE DEDUCTIONS REPORTED IN COMPLIANCE WITH STATEMENT OF BENEFITS (CF-1) FORMS FOR TAX ABATEMENTS**

The Clerk read Ordinance No. 31-2007 on first reading by title only.

This Ordinance would amend the procedure for companies that spend more on a project that was approved in the SB-1 Tax Abatement request. The Tax Abatement recommended approval.

Councilor Welch moved to amend paragraphs 2 and 3 to read as follows:

2. *Property owners must provide documentation that the increased investment is related to the project approved in the original Statement of Benefits and it now includes equipment not listed in the original Statement of Benefits, then the property owner must file a petition with Richmond Common Council requesting to have their original Statement of Benefits modified to reflect the equipment added to their original Statement of Benefits.*
3. *Property owners whose CF-1 Form(s) report an actual investment exceeding 10% of the original approved Statement of Benefits estimate must file a petition with Richmond Common Council requesting to have their original Statement of Benefits modified to reflect the actual investment amount and equipment added to their original Statement of Benefits.*

Councilor Parker seconded the motion. Upon a vote *viva voce*, the motion passed.

Councilor Welch moved to advance Ordinance No. 31-2007 to second reading and to suspend the rules and read by title only with a second by Councilor Sharp. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No. 31-2007 on second reading by title only.

Council President Pappin declared Ordinance No. 31-2007 on second reading and public hearing. There being no comments for or against the Ordinance, Councilor Elstro moved for engrossment of Ordinance No. 31-2007 with a second by Councilor Lundy. Upon a vote *viva voce*, the motion passed.

Councilor Wissel moved to advance Ordinance No. 31-2007 to third and final reading and suspend the rules and read by title only with a second by Councilor Welch. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No. 31-2007 as amended on third reading by title only.

Ordinance No. 31-2007 was adopted with a 9-0 roll call vote.

**ORDINANCE NO. 32-2007 – AN APPROPRIATION ORDINANCE AUTHORIZING THE SUBMITTAL, ACCEPTANCE, AND APPROPRIATION OF A GRANT FROM THE FEDERAL TRANSIT ADMINISTRATION**

The Clerk read Ordinance No. 32-2007 on first reading by title only.

This Ordinance would authorize the City of Richmond, by and through the City of Richmond Rose View Transit, to submit a grant application to the Indiana Department of Transportation to assist with funding to construct a permanent Rose View Transit Administration Building and five (5) bus shelters. This Ordinance would also authorize the City of Richmond, by and through the City of Richmond Rose View Transit, to accept said grant funding in an amount up to Two Hundred Eight Thousand Thirty-Two Dollars and Zero Cents (\$208,032.00).

Councilor Welch moved to advance Ordinance No. 32-2007 to second reading and to suspend the rules and read by title only with a second by Councilor Sharp. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No. 32-2007 on second reading by title only.

Council President Pappin declared Ordinance No. 32-2007 on second reading and public hearing. There being no comments for or against the Ordinance, Councilor Elstro moved for engrossment of Ordinance No. 32-2007 with a second by Councilor Welch. Upon a vote *viva voce*, the motion passed.

Councilor Parker moved to advance Ordinance No. 32-2007 to third and final reading and suspend the rules and read by title only with a second by Councilor Wissel. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No. 32-2007 on third reading by title only.

Ordinance No. 32-2007 was adopted with a 9-0 roll call vote.

**ORDINANCE NO. 33-2007 - AN APPROPRIATION ORDINANCE AUTHORIZING THE SUBMITTAL, ACCEPTANCE, AND APPROPRIATION OF A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY**

The Clerk read Ordinance No. 33-2007 on first reading by title only.

This Ordinance would authorize the City of Richmond, by and through the Fire Department, to submit a grant application to the Federal Emergency Management Agency to procure 12 mobile 800 MHz radios, 12 portable 800 MHz radios and 1 Interoperability hardware. This Ordinance would also authorize the City of Richmond, by and through the Fire Department, to accept said grant funding in an amount up to Seventy One Thousand One Hundred Dollars and Zero Cents (\$71,100.00). The City of Richmond would provide local funds from the Cumulative Capital Development Fund in an amount up to Seven Thousand Nine Hundred Dollars and Zero Cents (\$7,900.00) (10% of the total grant amount of \$79,000.00) as required for said grant.

Councilor Wissel moved to advance Ordinance No. 33-2007 to second reading and to suspend the rules and read by title only with a second by Councilor Parker. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No. 33-2007 on second reading by title only.

Council President Pappin declared Ordinance No. 33-2007 on second reading and public hearing. There being no comments for or against the Ordinance, Councilor Elstro moved for engrossment of Ordinance No. 33-2007 with a second by Councilor Welch. Upon a vote *viva voce*, the motion passed.

Councilor Welch moved to advance Ordinance No. 33-2007 to third and final reading and suspend the rules and read by title only with a second by Councilor Parker. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No. 33-2007 on third reading by title only.

Ordinance No. 33-2007 was adopted with a 9-0 roll call vote.

**ORDINANCES ON SECOND READING**

**ORDINANCE NO. 15-2007 - A SPECIAL ORDINANCE AMENDING THE ZONING MAP FOR A CERTAIN PARCEL FROM C-2 COMMERCIAL DISTRICT TO C-2, SPECIAL USE DISTRICT**

The Clerk read Ordinance No. 15-2007 on second reading by title only.

This Ordinance is a petition to rezone the property at 2150 Chester Boulevard from C-2 Commercial District to C-2 Special Use District in order to allow the owner to use the property as a convenience store with fuel sales. The Plan Commission voted unanimously to recommend approval of this Ordinance.

Council President Pappin declared Ordinance No. 15-2007 on second reading and public hearing. Speaking in favor was Robb Sweet, Planner representative for Speedway. There being no comments against the Ordinance, Councilor Elstro moved for engrossment of Ordinance No. 15-2007 with a second by Councilor Welch. Upon a vote *viva voce*, the motion passed.

Councilor Welch moved to advance Ordinance No. 15-2007 to third and final reading and suspend the rules and read by title only with a second by Councilor Parker. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No. 15-2007 on third reading by title only.

Ordinance No. 15-2007 was adopted with a 9-0 roll call vote.

**ORDINANCE NO. 22-2007** – A SPECIAL ORDINANCE AUTHORIZING THE APPROVAL OF A STATEMENT OF BENEFITS FOR A PROPERTY OWNER APPLYING FOR DEDUCTIONS UNDER I.C. 6-1.1-12.1 (*Mac-Del Inc. Real Estate*)

The Clerk read Ordinance No. 22-2007 on second reading by title only.

This Ordinance is a request by Mac-Del, Inc. for a ten-year tax abatement for real estate valued at \$275,000. The Tax Abatement Committee recommended approval.

Council President Pappin declared Ordinance No. 22-2007 on second reading and public hearing. There being no comments for or against the Ordinance, Councilor Sharp moved for engrossment of Ordinance No. 22-2007 with a second by Councilor Welch. Upon a vote *viva voce*, the motion passed.

Councilor Welch moved to advance Ordinance No. 22-2007 to third and final reading and suspend the rules and read by title only with a second by Councilor Parker. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No. 22-2007 on third reading by title only.

Ordinance No. 22-2007 was adopted with a 9-0 roll call vote.

**ORDINANCE NO. 26-2007** – A SPECIAL ORDINANCE AMENDING THE ZONING MAP FOR A CERTAIN PARCEL FROM R-2 RESIDENTIAL DISTRICT TO C-2 COMMERCIAL DISTRICT (900 Catalpa Drive)

The Clerk read Ordinance No. 26-2007 on second reading by title only.

This Ordinance is a request to rezone property at 900 Catalpa Drive from R-2 Residential District to C-2 Commercial District in order to allow the owner to sell the property for commercial purposes.

Mr. Foster of Metropolitan Development pointed out that rezoning this property would allow a number of uses that may not be compatible with the surrounding residential area. A variance would allow the City more control of the use.

Council President Pappin declared Ordinance No. 26-2007 on second reading and public hearing. There being no comments for or against the Ordinance, Councilor Lundy moved for engrossment of Ordinance No. 26-2007 with a second by Councilor Welch. Upon a vote *viva voce*, the motion passed.

Councilor Parker moved to advance Ordinance No. 26-2007 to third and final reading and suspend the rules and read by title only with a second by Councilor Sharp. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No. 26-2007 on third reading by title only.

Ordinance No. 26-2007 was defeated with a 0-9 roll call vote.

**ORDINANCE NO. 27-2007 - A SPECIAL ORDINANCE AUTHORIZING THE APPROVAL OF A STATEMENT OF BENEFITS FOR A PROPERTY OWNER APPLYING FOR DEDUCTIONS UNDER I.C. 6-1.1-12.1 (Optical Disc Solutions)**

The Clerk read Ordinance No. 27-2007 on second reading by title only.

This Ordinance is a request by Optical Disc Solutions for a ten-year tax abatement for equipment valued at \$1,109,200. The Tax Abatement recommended approval.

Council President Pappin declared Ordinance No. 27-2007 on second reading and public hearing. There being no comments for or against the Ordinance, Councilor Parker moved for engrossment of Ordinance No. 27-2007 with a second by Councilor Welch. Upon a vote *viva voce*, the motion passed.

Councilor Lundy moved to advance Ordinance No. 27-2007 to third and final reading and suspend the rules and read by title only with a second by Councilor Elstro. Upon a vote *viva voce*, the motion passed.

The Clerk read Ordinance No. 27-2007 on third reading by title only.

Ordinance No. 27-2007 was adopted with a 9-0 roll call vote.

**ORDINANCE NO. 29-2007 - A SPECIAL ORDINANCE AUTHORIZING THE APPROVAL OF A STATEMENT OF BENEFITS FOR A PROPERTY OWNER APPLYING FOR DEDUCTIONS UNDER I.C. 6-1.1-12.1 (ASAHITIC America Corporation)**

The Clerk read Ordinance No. 29-2007 on second reading by title only.

This Ordinance is a request for a ten-year tax abatement by ASAHITIC America Corporation for equipment valued at \$35,995. The Tax Abatement recommended approval.

Council President Pappin declared Ordinance No. 29-2007 on second reading and public hearing. Councilor Glover voiced concern about the starting pay and the temporary status of employees. There being no further comments for or against the Ordinance, Councilor Parker moved for engrossment of Ordinance No. 99-2007 with a second by Councilor Welch. The motion to engross Ordinance No. 29-2007 failed with a 7-2 roll call vote. Dissenting were Councilors Glover and Klose.

**ORDINANCES ON THIRD READING**

None

**CALL FOR ADJOURNMENT**

There being no further business, the meeting was adjourned.

S/S Diana Pappin  
Diana Pappin, President

ATTEST: S/S Karen Chasteen  
Karen Chasteen, City Clerk